THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.13358 of 2000

10.8.2005

Between:

Sri Thirumala Oil Mills, Tadipatri, Anantapur District

Rep. By its Proprietor R. Venkata Subbaiah.

... Petitioner

AND

Assessing Authority and Secretary, Agriculture Market Committee,

Tadipatri, Anantapur District.

... Respondent

ORDER:

The petitioner, who is a licensee of Agricultural Market Committee, Tadipatri, Anantapur District filed returns for the year 1997-1998. While showing the total purchases at Rs.36,09,214/-, the petitioner claimed deductions to the tune of Rs.33,497/-. The respondent while passing assessment order accepted the deductions to the tune of Rs.17,917/- but did not agree for other deductions. This writ petition is filed assailing the same.

This Court, while admitting the writ petition, stayed all further proceedings on condition of petitioner depositing 50% of the assessment amount. The learned Counsel for the petitioner is not able to say as to whether the petitioner has complied with the said interim order. However, the learned Standing Counsel for the respondent submits that the petitioner has not complied with the interim orders of this Court. Be that as it is, against every order passed under Section 12B(1) of A.P. (Agricultural Produce & Livestock) Markets Act, 1966 (the Act, for brevity), an appeal is provided to Regional Joint Director of Marketing under Section 12E(1) of the Act. As there is dispute as to whether the petitioner has produced correct receipts in support of the deductions, liberty is given to the petitioner to file the appeal within a period of two weeks from the date of this order. As and when such appeal is filed, the Regional Joint Director having jurisdiction shall entertain the appeal and pass appropriate orders within a period of four weeks thereafter, after giving notice to the petitioner as well as Agricultural Market Committee, Tadipatri.

The writ petition, with the above observations and directions, is disposed of.

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(**V.V.S. RAO,J**)

August 10, 2005

Note:

Issue copy of the order by

12.8.2005.

(B/o)

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